

UNITED STATES COURT OF APPEALS
FOR THE
SECOND CIRCUIT

MANDATE

At a stated Term of the United States Court of Appeals for the Second Circuit, held at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, in the City of New York, on the 11th day of November, two thousand and ten,

In re: World Trade Center Disaster Site Litigation

John Montalvo, Marion S. Mishkin, of counsel Noice of appearance to Sacks & Sacks, Phyllis Costarella, Joseph Falcone, Lenny Dinotte, Cliff Carty, Kathleen Carty, Joseph Scaramuzzino, Kelly M. Miller, Lawrence Ford, Blanca Goffredo, Frank Goffredo, Bernard Stinchcomb, Christine Stinchcomb, Christine Johnson, Robert Johnson, Jr., David Nolan, Louise Nolan, Robert Panarella, Herbert Pate, Francis Lavery, Kathryn Lavery, Arlene McGillick, Jon J. McGillick, Dewardranth Samaroo, Donald Carson, Gloria Elaine Carson, Andrea Cavicchio, Nicola Cavicchio, Jason Porcaro, Robert Ayers, Dean Curti, Jessie K. Horton, Lawrence Horton, Kevin O'Brien, Patricia O'Brien, Susan Medaglia, Diane Hoch Sankey, Lionel Payette, William J. Sankey, Michelle Payette, Jerry O'Connor, Ingrid Quagliariello, Victoria O'Connor, Vincent Quagliariello, John Quinn, Lois Rice, Donald G. Thompson, Frank Silechai, Renee Thompson, Frank Squicciarini, Daniel Leonard, Michelle Squicciarini, Laura Leonard, Anthony Compono, Delia Becca, Sheila Compono, Lance Becca, William Favata, Gregory A. Forsyth, Michele Hardin, John Jackson, Robert Hardin, Tomiann Jackson, Jimmy Rosario, Donna Haskell, Toni Rosario, Frank Haskell, Leonard Schmitt, Christine Placide, Virginia Schmitt, Larrie Placide, John McLees, Ann Marie Duignan, Lenore Rauscher, Patrick Duignan, Philip Rauscher, Michael Macko, John C. Sondey, Jill Miskanic, John Baiano, John Miskanic, John Bonvicino, Andrea McDonough, John Bou, David McDonough, Douglas Anderson, Walter Jensen, Daniel Simon, Thomas Doherty, Theresa Simon, James Checco, Richard Fritz, Judy Checco, Adam J. Vilagos, Jean

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 Baker, Chris Balabous, Rosanne Baldo, Krishendath
 Baliraj, Olga Baliraj, Joseph Barbato, Joseph Barbera,

Virginia Barbosa, Stalin F. Barccoulong, Michael Barker, Raymond Barksdale, Elizabeth Barksdale, Andrew Barone, Ann Marie Barone, Sergio Barragan, James Bartlet, Yudelka Bartlet, Guillermo Barzola, Wilbert Bascom, Setna Bascom, Anthony Basic, Thomas Basmagy, Nancy Basmagy, Harry Bass, Maria L. Bass, Julio Bastidas, Max Bataille, Jr., Linda Battle, Richard Battle, Frank Bauman, Alise L. Bauman, Christopher A. Bauman, Hanfort Bautista, Patrick J. Beatty, James Beck, Christine Beck, Paul Beck, Tinel Bedford, Leonard Beecher, Fanny Bejarano, Theadore Belgrave, Amy Beller, Timothy Bellew, Kathleen A. Bellew, Dimitrios Bellos, Martin Belmonte, Eileen Belmonte, Xavier Beltran, Florinda Benavidez, Lori Bencivenga, Thomas L. Bencivenga, Rose Marie Bencivenga, John Benedetto, Theresa Benedetto, Vinny Benenati, Cindy Benenati, Andrew Benfante, Shirley Benfante, Reynaldo Benitez, Richard Benn, Ann Benn, Carlos Bennett, Donna Bennett, Peter Bergin, Susan Bergin, Erick Bermudez, Frank Beshears, Diane Bethea, Idris Bey, Michael Bianchino, James A. Bianco, Terry Bianco, Vito Bianco, James Bieselin, Lorraine K. Bieselin, Joseph F. Biella, Roseann Bilella, Robert Bilella, Maureen Bilella, Vincent Bilella, Martin Bilinski, Catherine Bilinski, Kampta Bishun, Hassena Bishun, Peter Bishun, Elizabeth Bishun, John Black, Patricia Black, Joseph Black, Veronica E. Black, Leon L. Blackwell, Jorge Blanco, Dora Blanco, Leroy Blount, Eleanore Blount, Thomas Blumbergs, Kevin Bobe, Nicholas P. Bolobanic, Joy H. Bolobanic, Anthony Bombace, Jean Bombace, Jay Bomser, Daniel Bonanno, Frank E. Bondeson, Kathleen Bondeson, Edward Smith, Dennis M. O'Connor, Nicholas Lusuriello, Thomas M. Flanders, 22 Non-Resp, Darlene Montalvo, Paula Raehse, Daniel DeGiovine, Joette DeGiovine, All Plaintiffs, Harold Valencia, Natalie Valencia, Daniel Taylor, Lynn Taylor, Teresa Hartley, Robert Zane, Albert Pearce, Robert Suarez, Antonio E. Alves, plaintiff in matters 05-cv-7266 & 05-cv-2716, Maria E. Alves, plaintiff in matters 05-cv-7266 & 05-cv-2716, Raymond Hauber, in his representative capacity as executor of the Estate of Raymond Hauber, now deceased,

Plaintiffs - Appellees - Cross - Appellants,

v.

City of New York, AMEC Construction Management, Inc., AMEC Earth & Environmental, Inc., Bovis Lend Lease LMB, Inc., Evergreen Recycling of Corona (E.R.O.C.), Turner/Plaza, A Joint Venture, A Russo Wrecking, Inc., Plaza Construction Corp., Atlantic-Heydt Corporation, Tully Construction Co., Inc., Berkel & Company Contractors, Inc., Turner Construction Company, Big Apple Wrecking & Construction Corp., Board of Education of the City of New York, Breeze Carting, Inc., Breeze National, Inc., Brer-Four Transportation, Buro Happold Consulting Engineers, PC, C.B. Contracting Corp., Canron Construction Corp., Component Assembly Systems, Inc., Cord Contracting Co., Inc., Dakota Demo-Tech, Diamond Point Excavating Corporation, Diversified Carting, Inc., DMT Enterprise, Inc., E. J. Davies, Inc., Eagle One Roofing Contractors, Inc., En-Tech Corporation, Ewell W. Finely, P.C., Executive Medical Services, P.C., Fleet Trucking, Inc., Francis A. Lee Company, FTI Trucking Corp., Gilsanz Murray Steficek, LLP, Goldstein Associates Consulting Engineers PC, Hallen Welding Service, Inc., HP Environmental, Inc., Hudson Meridian Construction Group LLC, J.P Equipment & Rental Materials, L.L.C., La Strada General Contracting Corp., Laquila Construction, Inc., Leslie E. Robertson Associates , R.L.L.P., Liberty Mutual Insurance Company, Lockwood Kessler & Bartlett, Inc., Lucius Pitkin, Inc., LZA Technology, a division of Thornton Tomasetti, Manafort Brothers Incorporated, Mazzocchi Wrecking, Inc., Moretrench American Corp., MRA Engineering P.C, Mueser Rutledge Consulting Engineers, Nacirema Industries Inc., New York City Department of Education, New York City School Construction Authority, New York Crane & Equipment Corporation, Nicholson Construction Company, Peter Scalamandre and Sons, Inc, Pinnacle Environmental Corporation, Pro Safety Services Inc., PT&L Contracting Corporation, Robert L. Gerosa, Inc., Robert Silman Associates, P.C., Rodar Enterprises, Inc., Royal GM Inc., SAB Trucking, Inc., Safeway Environmental Corporation, Sencor Equipment & Manufacturing Corporation, Silverite

Contracting Corporation, Simpson Gumpertz & Heger, Inc., Skanska Koch, Inc., Skidmore Owings and Merrill, L.L.P., The City University of New York, Thornton Tomasetti, Inc., Total Safety Consulting, LLC, Tucci Equipment Rental Corporation, Vollmer Associates LLP, Weeks Marine, Inc., Weidlinger Associates P.C., Wolkow Braker Roofing Corporation, WSP Cantor Seinuk, Yannuzzi & Sons, Inc., Yonkers Contracting Company, Inc.,

Defendants - Appellants -Cross - Appellees.

The parties in the above-referenced case have filed a stipulation withdrawing this appeal pursuant to Local Rule 42.1. Each party has submitted a separate electronically signed counterpart reflecting the negotiated terms of the stipulation.

The stipulations are hereby "So Ordered".

For The Court:

Catherine O'Hagan Wolfe,
Clerk of Court

A circular official seal of the United States Court of Appeals, Second Circuit, is stamped over the signature. The seal contains the text "UNITED STATES", "SECOND CIRCUIT", and "COURT OF APPEALS" around a central emblem.

A True Copy

Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit

A circular official seal of the United States Court of Appeals, Second Circuit, is stamped over the signature. The seal contains the text "UNITED STATES", "SECOND CIRCUIT", and "COURT OF APPEALS" around a central emblem.